

REMARKS

On page 2 of the Action, the disclosure was objected to. In view of the objection, the specification has been amended.

On pages 2-4 of the Action, claims were objected to and rejected under 35 U.S.C. 112, first and second paragraphs. In view of the objection and rejections, claims have been amended to obviate the objection and rejections. Also, some of the claims have been editorially amended. Claims 15 and 28 have been amended in independent form.

In regard to the rejection for claim 18 on page 4 of the Action, claim 19 has been canceled, and the subject matter of claim 19 has been incorporated into claim 18. In regard to the process disclosed at pages 31-32 of the specification, since the main feature in claim 18 is the raw material and the temperature, the filing factor in the container is not limited. The filing factor is claimed in claim 21.

Please withdraw the objection and rejections under 35 U.S.C. 112, first and second paragraphs.

On page 5 of the Action, claims 1-11, 33, 34 and 36-41 were rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-3 and 24-26 of U.S. Patent No. 7,253,446 (USP '446).

On page 6 of the Action, claims 1-2, 18-20, 25-27, 33, 34 and 36-41 were rejected under 35 U.S.C. 103(a) as being obvious over USP '446.

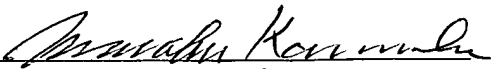
USP '446 was filed in the PTO on February 1, 2006, while the present application was filed on January 12, 2006 under PCT International Application PCT/JP2005/004596 filed on March 9, 2005, which is earlier than the U.S. filing date of USP '446.

Accordingly, USP '446 can not be cited under 35 U.S.C. 103(a) to the present application. If necessary, a terminal disclaimer will be filed.

Serial No. 10/564,439

Reconsideration and allowance are earnestly solicited.

Respectfully Submitted,

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